

The Honorable Thomas S. Zilly

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

MOHAMMED SABBAGHI )  
Plaintiff, )  
v. )  
MICHAEL CHERTOFF, Secretary, Dept. of )  
Homeland Security, and JULIA HARRISON, )  
Seattle Field Office Director, U.S. Citizenship )  
and Immigration Services )  
Defendants. )

NO. C08-01641-TSZ

**UNITED STATES' MOTION TO  
EXTEND TIME TO ANSWER  
PLEAD, OR OTHERWISE  
RESPOND TO PLAINTIFF'S  
COMPLAINT**

(Noted for Consideration on  
January 9, 2009, Pursuant to Local Rule  
7(d)(2))

COME NOW the Defendants, Michael Chertoff and Julia Harrison, by and through their counsel, Gregory G. Katsas, Assistant Attorney General at the United States Department of Justice, J. Max Weintraub, Senior Litigation Counsel for said agency, and Stacey I. Young, Trial Attorney for said agency, and move pursuant to Fed.R.Civ.P. 16(b)(4), to extend the deadline to answer, plead, or otherwise respond to Plaintiff's complaint.

Plaintiff filed his complaint on November 10, 2008 (Dkt. #1). The current deadline by which Defendants must answer, plead, or otherwise respond to the complaint is January 9, 2009. As a result of office closures due to weather, local counsel at the United States Citizenship and Immigration Services has been unable to file the administrative record, which Defendants' counsel needs to respond properly to Plaintiff's complaint. Thus, Defendants request a 30-day extension, so that their response would be due on February 10, 2009.

UNITED STATES' MOTION TO  
EXTEND DEFENDANTS' TIME TO ANSWER,  
PLEAD, OR OTHERWISE RESPOND  
(C08-01641-TSZ)

OFFICE OF IMMIGRATION LITIGATION  
CIVIL DIVISION  
U.S. DEPARTMENT OF JUSTICE  
P.O. BOX 878, BEN FRANKLIN STATION  
WASHINGTON, D.C. 20044 TELEPHONE NO. (202) 305-  
7171

1 Defendants also request this additional amount of time in light of the undersigned's large  
2 litigation docket. At or about the same time the undersigned was assigned to prepare the  
3 Government's response in this case, she was also assigned and prepared, or will prepare,  
4 principal briefs or arguments in: Singh v. Cicchi, et al., No. 08-3436 (3d Cir.); Salinas-Gonzalez  
5 v. Godfrey, et al., No. 05-36007 (9th Cir.), Dajian Ni v. United States Citizenship and  
6 Immigration Services, No. 08-03883 (Central Dist. of CA); and Neves v. United States, No. 07-  
7 1091 (E. Dist. of MA).

8 Thus, Defendants respectfully request that the Court stay the deadline to answer, plead, or  
9 otherwise respond to Plaintiff's complaint to February 10, 2009.<sup>1</sup>

10 DATED this 31st day of December, 2008.

11 Respectfully submitted,

13 GREGORY G. KATSAS  
14 United States Department of Justice  
15 Assistant Attorney General  
16 J. MAX WEINTRAUB  
17 Senior Litigation Counsel  
18 U.S. Department of Justice  
19 Office of Immigration Litigation  
20 District Court Section

21 /s Stacey I. Young  
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Attorneys for United States

1 Plaintiff's counsel, Bart Klein, Esq., indicated by e-mail on December 30, 2008, that he  
2 opposes Defendants' request for an extension.

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Western District of Washington and is a person of such age and discretion as to be competent to serve papers;

It is further certified that on December 31, 2008, I electronically filed the United States' Motion to Extend Defendants' Time to Answer, Plead, or Otherwise Respond with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following CM/ECF participant(s):

Bart Klein [bart.klein@bartklein.com](mailto:bart.klein@bartklein.com)

I further certify that on December 31, 2008, I mailed by United States Postal Service the United States' Motion to Extend Defendants' Time to Answer, Plead, or Otherwise Respond to the following non-CM/ECF participant(s)/CM/ECF participant(s), addressed as follows:

- 0 -

Dated this 31st day of December, 2008.

/s/ Amy Hanson  
AMY HANSON, Legal Assistant  
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